

R277. Education, Administration.

R277-508. Employment of Substitute Teachers.

R277-508-[2]1. Authority and Purpose.

[A-](1) This rule is authorized by:

(a) Utah Constitution, Article X, Section 3, which vests general control and supervision of public education in the Board[.];

(b) Section 53A-1-401, which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and

(c) Subsection 53A-1-402(1)(a) which directs the Board to make rules regarding the qualifications of educators and ancillary personnel providing direct student services[. and Section 53A-1-401(3) which allows the Board to adopt rules in accordance with its responsibilities].

[B-](2) The purpose of this rule is to establish eligibility requirements and employment procedures for substitute teachers.

R277-508-[4]2. Definitions.

~~[A. "Board" means the Utah State Board of Education.]~~

[B-](1) "Comprehensive Administration of Credentials for Teachers in Utah Schools [~~CACTUS~~]" or "CACTUS" means the electronic file maintained on all licensed Utah educators[. ~~The file includes such as~~], which includes:

([1]a) personal directory information;

([2]b) educational background;

([3]c) endorsements;

([4]d) employment history;

([5]e) professional development information; and

([6]f) a record of disciplinary action taken against the educator.

[C-](2) "LEA" [~~mean a local education agency, including local school boards/public school districts, charter schools, and~~] includes, for purposes of this rule, the Utah Schools for the Deaf and the Blind.

[D-](3) "License" means an authorization issued by the Board which permits the

holder to serve in a professional capacity in ~~[the]~~ a Utah public school[s].

~~[E:]~~(4) "Substitute teacher" means an individual employed to take the place of a regular teacher who is temporarily absent.

~~[F:]~~(5) "Temporarily absent" means a period not to exceed eight consecutive weeks.

R277-508-3. Duration of Teaching Assignment.

~~[A:]~~(1) A substitute teacher may not serve in a teaching position for more than eight consecutive weeks in one academic year in either the same class or with the same group of students.

~~(2) [Individuals serving]~~ If a substitute teacher without an appropriate license has taught in the same teaching position for [longer than] eight weeks [shall hold an appropriate license or be replaced by], the employing LEA shall replace the substitute teacher with a person [with] holding an appropriate license.

~~[B:]~~(3) The ~~[State]~~ Superintendent ~~[of Public Instruction]~~ may grant exceptions to ~~[R277-508-3A, as appropriate, in special circumstances]~~ Subsection (2), within the Superintendent's discretion.

R277-508-4. Hiring Priorities and Eligibility.

~~[A:]~~(1) An LEA shall give ~~[The]~~ first priority in hiring substitute teachers ~~[shall be given]~~ to those who hold a valid license in the subject matter they will be teaching as a substitute.

(2) An LEA shall give ~~[S]~~second priority ~~[is]~~ in hiring substitute teachers to [hire] persons who have a valid license in a field commonly taught in public schools.

(3) An LEA shall give third priority in hiring substitute teachers to persons with a college degree.

~~[B. It is desirable that a substitute teacher hold a valid license or a college degree.]~~

(3) An LEA shall evaluate ~~[persons hired as substitutes]~~ prospective substitute teachers to ensure that they are capable of managing a class and carrying out the instructional program.

~~[C:]~~(4) ~~A [Persons]~~ person seeking employment as a substitute teacher shall furnish

evidence as requested from the hiring LEA that ~~[they are]~~ the person is physically and mentally fit to work.

~~[D:](5)(a) An LEA[s] may not employ any individual as a substitute teacher whose license has been revoked or is currently suspended by the Board or [whose license has been revoked or is currently suspended by] the licensing entity of another [state] jurisdiction. [Individuals whose licenses have been reinstated may be considered for employment as substitute teachers].~~

R277-508-5. Employment Procedures.

~~[A:](1) An LEA[s] shall establish policies for hiring substitute teachers, which shall include a requirement:~~

~~(a) [-An LEA's policy shall include obtaining] that the LEA's staff obtain verification from CACTUS that an applicant's license has not been revoked or suspended[:]; and~~

~~[B:](b) [An LEA shall require] for substitute teachers to have [periodic] criminal background checks consistent with [an LEA's policy under] Rule R277-516 [for employees that work directly with students].~~

~~[C:](2) An LEA[s] shall have a policy, which includes:~~

~~(a) [to evaluate] periodic evaluation of substitute teachers; and~~

~~(b) [including] a salary schedule to pay substitute[s] teachers according to their training, experience, and competency.~~

~~[D:](3) A [R]regular teacher[s] shall have lesson plans immediately available for use by substitute teachers.~~

~~[E:](4) A student teacher may substitute in a class[es] consistent with the instructions and policies from the higher education institution which the student attends.~~

~~[F:] [Paraprofessionals] A paraprofessional or [and aids] student aid may substitute in a class[es] consistent with LEA [or school] policies.~~

KEY: teachers, professional competency, school personnel

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86 **Authorizing, and Implemented, or Interpreted Law: Art X Sec 3; 53A-1-402(1)(a); 53A-**
87 **1-401(3)**